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Please find below and/or attached an Office communication concerning this application or proceeding.

The time period for reply, if any, is set in the attached communication.

✓

# Office Action Summary

Application No.

10/848,866

Applicant(s)

HART ET AL.

Examiner

TuyetLien (Lien) T. Tran

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-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

## Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

## Status

- 1) ☒ Responsive to communication(s) filed on 31 July 2007.
- 2a) ☒ This action is **FINAL**. 2b) ☐ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

## Disposition of Claims

- 4) ☒ Claim(s) 1-40 is/are pending in the application.
- 4a) Of the above claim(s) \_\_\_\_\_ is/are withdrawn from consideration.
- 5) ☐ Claim(s) \_\_\_\_\_ is/are allowed.
- 6) ☒ Claim(s) 1-40 is/are rejected.
- 7) ☐ Claim(s) \_\_\_\_\_ is/are objected to.
- 8) ☐ Claim(s) \_\_\_\_\_ are subject to restriction and/or election requirement.

## Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on \_\_\_\_\_ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.  
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).  
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

## Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some \* c) ☐ None of:
- ☐ Certified copies of the priority documents have been received.
  - ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.
  - ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).
- \* See the attached detailed Office action for a list of the certified copies not received.

## Attachment(s)

- 1) ☒ Notice of References Cited (PTO-892)
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- 3) ☐ Information Disclosure Statement(s) (PTO/SB/08)  
Paper No(s)/Mail Date \_\_\_\_\_
- 4) ☐ Interview Summary (PTO-413)  
Paper No(s)/Mail Date \_\_\_\_\_
- 5) ☐ Notice of Informal Patent Application
- 6) ☐ Other: \_\_\_\_\_

### DETAILED ACTION

1. This action is responsive to the following communication: Amendment filed 07/31/07.

**This action is made final.**

2. Claims 1-40 are pending in the case. Claims 1, 10, 18, 26 and 33 are independent claims. Claims 1, 8-10, 18, 25, 26, 32 and 33 are amended claims.

### Claim Objections

3. Applicant's amendment corrects the previous objection; therefore, the previous objection is withdrawn.
4. Claim 1 is objected to because it is not clear whether the first grouping or said textual representations or a matching first characteristic is selectable (e.g., see lines 12, 13).  
Appropriate correction is required.

### Claim Rejections - 35 USC § 101

5. Applicant's amendment corrects the previous rejections; therefore, the previous rejections are withdrawn.

### Claim Rejections - 35 USC § 103

6. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

This application currently names joint inventors. In considering patentability of the claims under 35 U.S.C. 103(a), the examiner presumes that the subject matter of the various claims was commonly owned at the time any inventions covered therein were made absent any

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evidence to the contrary. Applicant is advised of the obligation under 37 CFR 1.56 to point out the inventor and invention dates of each claim that was not commonly owned at the time a later invention was made in order for the examiner to consider the applicability of 35 U.S.C. 103(c) and potential 35 U.S.C. 102(e), (f) or (g) prior art under 35 U.S.C. 103(a).

**7. Claims 26-29 and 32-36 and 40 are rejected under 35 U.S.C. 103(a) as being unpatentable over Reynolds et al. (Patent No US 6934963 B1; hereinafter Reynolds).**

**As to claim 26, Reynolds teaches:**

A method comprising outputting a user interface by a client for display by a display device (e.g., a method for providing a hybrid passive-interactive television program guide, see col. 27 lines 14-15 and Fig. 2b), wherein:

the user interface, when displayed, includes a plurality of representations of a plurality of content items (e.g., see Figs. 6-7);

each said representation references a corresponding said content item (e.g., see Figs. 6-7);

one or more said representations, when displayed, are selectable by a user to navigate to the referenced corresponding said content item (e.g., see Fig. 6 and col. 15 lines 46-64); and

when the outputting has occurred for a predetermined amount of time, during which, an input has not been received from a user, the method further includes cycling one or more of the plurality of representations for output in the user interface (e.g., note that it is well known in the art that passive program guide displays cycling program guide when an input has not been received from the user for a predetermined amount of time, see col. 1 lines 22-31 and col. 15 lines 1-13).

Reynolds does not expressly teach that the plurality of content items includes content available from user sources including user created content and user provided content. However, it would have been obvious to one skilled in the art at the time the invention was made to implement this feature because Reynolds suggests to the skilled artisan that a user is provided with the ability to schedule programs for recording, to view listings for favorite channels, to parentally control programs, or to perform other desirable functions that require user interaction (e.g., see Figs. 12-15 and col. 19 lines 28-45). The motivation for the implementation is to achieve an interactive television program guides while maintaining the video capability of passive guides (e.g., see col. 1 lines 46-50).

**As to claim 33, Reynolds teaches:**

A client (e.g., see Figs. 2a-2d) comprising:

network interface means for providing a communicative coupling to a network (e.g., see Fig. 1 and Figs. 2a-2d and col. 7 lines 56-65);

an output interface means for providing a communicative coupling to a display device (e.g., see Figs. 2a-2d and col. 8 lines 40-53);

means for processing (e.g., col. 8 lines 1-5); and

memory means for maintaining a navigation application that is executable on the processor to provide an output of a user interface at the output interface means (e.g., see col. 12 lines 50-62), wherein:

the user interface (e.g., see Figs. 6-7), when output, includes a display of a plurality of representations of a plurality of content items that are cycled without user intervention such that at any one particular time (e.g., note that it is well known in the art that passive program guide displays cycling program guide, see col. 1 lines 22-31 and col. 12 lines 3-28), at least one said representation is displayed while another said

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representation is not displayed (e.g., program listings grid 88 may be scrolled continuously or have its pages changed periodically to display program listings for additional channels, see col. 12 lines 3-28 and Figs. 3a-3b);

each said representation references a corresponding said content item (e.g., see Figs. 6-7);

at least one said content item is for receipt at the network interface means (e.g., see col. 2 lines 6-24); and

one or more said representations are for selection by a user to navigate to the referenced corresponding said content item (e.g., see Fig. 6 and col. 15 lines 46-64).

Reynolds does not expressly teach that the plurality of content items includes content available from user sources including user created content and user provided content.

However, it would have been obvious to one skilled in the art at the time the invention was made to implement this feature for the same reasons as discussed with respect to claim 26 above.

**As to claim 27**, Reynolds further teaches wherein the cycling display of the plurality of textual representations is cycled such that after each said textual representation has been displayed on the cycling display, at least one said textual representation is displayed again on the cycling display (e.g., note that it is well known in the art that passive program guide displays cycling program guide that is at least one item is displayed again on the cycling display, see col. 1 lines 22-31 and col. 12 lines 3-28).

**As to claim 28**, Reynolds further teaches wherein the cycling is performed such that at any one particular time (e.g., note that it is well known in the art that passive program guide displays cycling program guide, see col. 1 lines 22-31 and col. 12 lines 3-28), at least one said

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representation is not displayed while another said representation is displayed (e.g., program listings grid 88 may be scrolled continuously or have its pages changed periodically to display program listings for additional channels, see col. 12 lines 3-28 and Figs. 3a-3b).

**As to claim 29**, Reynolds further teaches wherein the one or more said textual representations are for selection by a user to navigate to the referenced corresponding said content item (e.g., see Fig. 6 and col. 15 lines 46-64) via another said textual representation having additional descriptive data (e.g., see Figs. 13-14 and Fig. 10):

describes the referenced corresponding said content item (e.g., see Fig. 10); and  
is not included in the one or more said representations (e.g., note that Fig. 10 shows a review or story line of the item "Terminator" which is not included in the Fig. 13).

**As to claim 32**, Reynolds further teaches one or more computer storage media comprising computer executable instruction that, when executed on a computer, direct the computer to perform the method as recited in claim 26 (e.g., see col. 13 lines 54-60 and col. 8 lines 1-5).

**As to claim 34**, Reynolds further teaches the at least one said content item is a television program (e.g., see Figs. 3a-3b).

**As to claim 35**, Reynolds further teaches wherein another said content item is stored in the memory means (e.g., see col. 2 lines 31-39 and see Fig. 2b and col. 13 lines 21-35).

**As to claim 36**, Reynolds further teaches the plurality of representations are cycled when an input has not been received from the user for a predetermined amount of time (e.g., note that it is well known in the art that passive program guide displays cycling program guide

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when an input has not been received from the user for a predetermined amount of time, see col. 1 lines 22-31 and col. 15 lines 1-13).

**As to claim 40**, Reynolds further teaches comprising an input interface means for receiving an input from an input device, wherein the input is for selecting the one or more said representations to navigate to the referenced corresponding said content item (e.g., see Fig. 2b and col. 14 lines 46-59).

**8. Claims 1-9, 30, 31, 38 and 39 are rejected under 35 U.S.C. 103(a) as being unpatentable over Reynolds in view of Swix et al (Patent No. US 6499138 B1; hereinafter Swix).**

**As to claim 1**, Reynolds teaches:

A user interface (e.g., see Figs. 6-7) comprising:

rendering by a display device (e.g., see Figs. 4, 5) a cycling display of a plurality of textual representations of a plurality of content items (e.g., see col. 12 lines 3-28), wherein:

each said textual representation references a corresponding said content item (e.g., see Figs. 6-7);

at least one said textual representations is selectable by a user to navigate to the referenced said corresponding content item (e.g., see Fig. 6 and col. 15 lines 46-64);

the cycling display of the plurality of textual representations is cycled without user intervention (e.g., note that it is well known in the art that passive program guide displays cycling program guide, see col. 1 lines 22-31 and col. 12 lines 3-28) such that at any one particular time during a cycling of the cycling display, at least one said textual representation is displayed on the cycling display while another said textual representation is not displayed on the cycling display (e.g., program listings grid 88 may be scrolled continuously or have its pages



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changed periodically to display program listings for additional channels, see col. 12 lines 3-28 and Figs. 3a-3b); and

a first grouping of said textual representations have a matching first characteristic, one to another is selectable by the user (e.g., see col. 18 lines 11-17 and Figs. 12-13; note that from main menu shown in Fig. 12 a user can select to display a first group of textual representation that has a matching first characteristic such as time, channel, movies, sports, ....the resulting first group is shown in Fig. 13);

wherein the first characteristic is selectable from the group comprising: a title; a story line; a textual description; a production credit; a critic's opinion; a review; a recommendation; a duration; a start time; a stop time; a genre; a rating; a performer; a director; user specific metadata; and a combination of the foregoing (e.g., note that from Fig. 12 a user can select to display a list of textual representation by category or genre, a start or stop time, or a user can even search).

However, Reynolds does not expressly teach that at least one said representation of the first grouping is selectable to cause a second grouping of said textual representations having a matching second characteristic, one to another, dependent on the selected first grouping of the selected said textual representation are displayed on the cycling display.

In the same field of endeavor of providing information about available program listing guide (e.g., see Swix Abstract), Swix teaches:

a user interface comprising a plurality of representations on a display for presenting information related to available programming to a viewers; wherein each said representation references a corresponding content item and that each said content item has a plurality of characteristic (e.g., see Figs. 6-7); and

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a first grouping of said representations has a matching first characteristic, one to another (e.g., see Fig. 6; note that all the items in the interface 100 has the same characteristic of "All SHOWS");

at least one said representation of the first grouping is selectable by user interaction to cause a second grouping of said representations to be displayed on the display (e.g., see Fig. 6); and

each said representation in the second grouping references a respective said content item having a matching second said characteristic, one to another (e.g., see Fig. 6);

wherein the characteristics are selectable from the group comprising: a title; a story line; a textual description; a production credit; a critic's opinion; a review; a recommendation; a duration; a start time; a stop time; a genre; a rating; a performer; a director; user specific metadata; and a combination of the foregoing (e.g., see Figs. 1-7).

Accordingly, it would have been obvious to one of ordinary skill in the art at the time the invention was made to use the electronic programming guide as taught by Swix to the hybrid passive-interactive television program guide as taught by Reynolds to achieve the claimed invention. The motivation for the combination is to provide a user interface for presenting information related to available programming to a viewer and/or other user; additionally, the user interface can carry advertising, and thus, provide additional revenue to the provider (e.g., see Swix col. 1 lines 20-25 and col. 14 lines 2-11).

**As to claims 2, 3**, claims 2, 3 are in the same context as claims 27, 29 respectively; therefore are rejected under similar rationale.

**As to claim 4**, Reynolds further teaches at least one said content item is video (e.g., see Fig. 15).

**As to claim 5**, Reynolds further teaches at least one said content item includes text (e.g., see Fig. 8b).

**As to claim 6**, Reynolds further teaches at least one said content item is a news article (e.g., see Fig. 13) and the corresponding said textual representation that references the at least one said content item is a headline of the news article (e.g., "The Making of Titanic" as shown in Fig. 13).

**As to claim 7**, Reynolds further teaches comprising a video portion for continuing an output of one said content item which was output during receipt of an input from the user to initiate execution of the user interface on a client (e.g., see Figs. 12-13).

**As to claim 8**, Reynolds further teaches the cycling display is user sizeable (e.g., see col. 11 lines 45-52; it would have been obvious to one skilled in the art to realize that the resizable feature as taught by Reynolds can be implemented as an interface tool for a user to resize the display area if desired).

**As to claim 9**, Reynolds further teaches that user specific metadata is embedded in other content item metadata (e.g., see Figs. 8a-8b; note that it would have been obvious to the skilled artisan that metadata is embedded in other content item metadata so that when a user select an item shown in Fig. 8b, a user is provided with further information)

**As to claims 30 and 38**, Reynolds teaches the limitations of claims 26 and 33 for the same reasons as discussed above. Reynolds further teaches:

each said content item has a plurality of characteristics (e.g., channel number, start time, title, duration, category such as movie or news, see Figs. 9a-10);

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a first grouping of said textual representations have a matching first characteristic, one to another (e.g., see col. 18 lines 11-17 and Fig. 13).

However, Reynolds does not expressly teach that at least one said representation is for selection by the user such that, when selected, a second grouping of said representations are output that have a matching second said characteristic, one to another, of the selected said representation.

Swix, though, teaches:

a user interface comprising a plurality of representations on a display for presenting information related to available programming to a viewers; wherein each said representation references a corresponding content item and that each said content item has a plurality of characteristic (e.g., see Figs. 6-7); and

a first grouping of said representations has a matching first characteristic, one to another (e.g., see Fig. 6; note that all the items in the interface 100 has the same characteristic of "All SHOWS");

at least one said representation of the first grouping is selectable by user interaction to cause a second grouping of said representations to be displayed on the display (e.g., see Fig. 6); and

each said representation in the second grouping references a respective said content item having a matching second said characteristic, one to another (e.g., see Fig. 6). Thus, combining Swix and Reynolds would meet the claimed limitations for the same reasons as discussed with respect to claim 1 above.

**As to claims 31 and 39**, Reynolds further teaches the characteristics are selected from the group consisting of:

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a title; a story line; a textual description; a production credit; a critic's opinion; a review; a recommendation; a duration; a start time; a stop time; a genre; a rating; a performer; a director; user specific metadata; and a combination of the foregoing (e.g., note that from Fig. 12 a user can select to display a list of textual representation by category or genre, a start or stop time, or a user can even search).

**9. Claims 1-17 are rejected under 35 U.S.C. 103(a) as being unpatentable over Reynolds in view of Swix and further in view of Billmaier (Patent No US 7076202 B1; hereinafter Billmaier).**

**As to claim 10, Reynolds teaches:**

A user interface (e.g., see Figs. 6-7) comprising:

rendering by a display device (e.g., see Figs. 4, 5) a plurality of representations on a display (e.g., see Figs. 9a-13), wherein:

each said representation references a corresponding content item (e.g., see Figs. 9a-13);

each said content item has a plurality of characteristics (e.g., channel number, start time, title, duration, category such as movie or news, see Figs. 9a-10);

a first grouping of said representations has a matching first characteristic, one to another (e.g., see col. 18 lines 11-17 and Figs. 12-13; note that from main menu shown in Fig. 12 a user can select to display a first group of textual representation that has a matching first characteristic such as time, channel, movies, sports, ....the resulting first group is shown in Fig. 13);

the first grouping of said representations is displayable in succession on the display without user interaction such that at least one said representation in the first grouping is

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displayed while another said representation in the first grouping is not displayed (e.g., see Fig. 13; note that passive program guide may be scrolled continuously or have its pages changed periodically to display program listings for additional channels, see col. 1 lines 22-31 and col. 12 lines 3-28);

at least one said representation of the first grouping is selectable by user interaction to cause further information to be displayed on the display (e.g., see col. 18 lines 50-57 and Figs. 10, 14).

However, Reynolds does not expressly teach that at least one said representation of the first grouping is selectable to cause a second grouping of representations to be displayed and that each said representation in the second grouping references a respective said content item having a matching second said characteristic, one to another.

In the same field of endeavor of providing information about available program listing guide (e.g., see Swix Abstract), Swix teaches:

a user interface comprising a plurality of representations on a display for presenting information related to available programming to a viewers; wherein each said representation references a corresponding content item and that each said content item has a plurality of characteristic (e.g., see Figs. 6-7); and

a first grouping of said representations has a matching first characteristic, one to another (e.g., see Fig. 6; note that all the items in the interface 100 has the same characteristic of "All SHOWS");

at least one said representation of the first grouping is selectable by user interaction to cause a second grouping of said representations to be displayed on the display (e.g., see Fig. 6); and

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each said representation in the second grouping references a respective said content item having a matching second said characteristic, one to another (e.g., see Fig. 6).

Thus, combining Reynolds and Swix would meet the claimed limitations for the same reasons as discussed with respect to claim 1 above. However, Reynolds and Swix do not expressly teach that the display is on a wireless phone.

Billmaier, though, teaches a system and method for delivering radio programs and related schedule information using a mobile device; wherein the mobile device display can render a plurality of representation references a corresponding content item (e.g., see Abstract, Fig. 2 and col. 6 lines 18-40).

Accordingly, it would have been obvious to one of ordinary skill in the art at the time the invention was made to use the mobile device that is capable of displaying programming information as taught by Billmaier to the hybrid passive-interactive television program guide as taught by Reynolds and Swix to achieve the claimed invention. The motivation for the combination is to enable a user to easily select past, present, and future programming information for recording and/or playback (e.g., see Billmaier col. 2 lines 25-33).

**As to claim 11**, Swix further teaches the second said characteristic is different from the first said characteristic (e.g., see Fig. 6). Thus, combining Billmaier, Swix and Reynolds would meet the claimed limitations for the same reasons as discussed with respect to claim 10 above.

**As to claim 12**, Swix further teaches the second said characteristic is different from the first said characteristic; and each said content item referenced in the second grouping does not have the first said characteristic that matches, one to another (e.g., see Fig. 6; note that items in the group 118 has different characteristic such as local news, national news). Thus, combining

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Billmaier, Swix and Reynolds would meet the claimed limitations for the same reasons as discussed with respect to claim 10 above.

**As to claim 13**, Swix further teaches the second said characteristic is different from the first said characteristic; and each said content item referenced in the second grouping has the first said characteristic that matches, one to another (e.g., see Fig. 6; note that items relates to "ALL NEWS"). Thus, combining Billmaier, Swix and Reynolds would meet the claimed limitations for the same reasons as discussed with respect to claim 10 above.

**As to claim 14**, claim 14 is in the same context as claim 31 therefore is rejected under similar rationale.

**As to claim 15**, claim 15 is in the same context as claim 6; therefore is rejected under similar rationale.

**As to claim 16**, Reynolds further teaches at least one said content item is available from a network connection (e.g., see col. 2 lines 7-30).

**As to claim 17**, Reynolds further teaches at least one said content item is stored locally on a client that outputs the user interface (e.g., see col. 2 lines 31-39 and see Fig. 2b and col. 13 lines 21-35).

**10. Claims 18-23, 25 and 37 are rejected under 35 U.S.C. 103(a) as being unpatentable over Reynolds in view of Knudson et al (Patent No US 6526577 B1; hereinafter Knudson).**

**As to claims 18 and 37**, Reynolds teaches:

A method (e.g., a method for providing a hybrid passive-interactive television program guide, see col. 27 lines 14-15) comprising:



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receiving an input at a client to initiate a user interface (e.g., see col. 15 lines 1-25); and forming the user interface for output by the client (e.g., see Figs. 8a-8b), wherein the user interface:

is for display in a dedicated viewing area of a display device (e.g., see Fig. 8a); and when displayed, includes:

a video portion (e.g., Sports Talk Show shown in the upper half of the display screen, see Fig. 8a); and

a representation portion for display of a plurality of textual representations of a plurality of content items for output by the client (e.g., passive program listing in the lower half of the display screen, see Fig. 8a).

Reynolds does not expressly teach that the plurality of content items includes content available from user sources including user created content and user provided content. However, it would have been obvious to one skilled in the art at the time the invention was made to implement this feature for the same reasons as discussed with respect to claim 26 above.

Additionally, Reynolds also fails to expressly teach that the input to initiate the user interface is received during an output of video content by the client. In the same field of endeavor of providing an interactive television program guide (e.g., see Knudson Fig. 8), Knudson teaches while watching a movie, a program guide is displayed in response to an indication by the user that the user wishes to browse through programming listing and that displaying a video portion for continuing the output of the video content (e.g., see Figs. 8-9 and col. 10 lines 10-17).

It would have been obvious to one of ordinary skill in the art at the time the invention was made to have used the feature of allowing a user to initiate the user interface as taught by

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Knudson to the hybrid passive-interactive television program guide as taught by Reynolds to create an enhanced program guide in which users are allowed to continue to watch television while viewing program guide data. The motivation to combine Reynolds' teaching with Knudson's teaching is to provide an interactive television program guide system in which users are provided with easier access to various program guide functions through an enhanced user interface (e.g., see Knudson col. 1 lines 33-43).

**As to claim 19,** Reynolds further teaches:

each said textual representation references a corresponding said content item (e.g., see Figs. 6-7); and

one or more said textual representations, when output, are selectable by a user to navigate to the referenced corresponding said content item (e.g., see Fig. 6 and col. 15 lines 46-64).

**As to claim 20,** Reynolds further teaches wherein the dedicated viewing area includes one or more controls that are configured to at least one of close, resize, maximize, minimize, or hide the dedicated viewing area (e.g., see Figs. 6-7 and col. 16 lines 11-22).

**As to claim 21,** Reynolds further teaches the video content is streamed from a head end to the client (e.g., see Fig. 2b and col. 13 lines 21-35).

**As to claim 22,** Reynolds further teaches the video content is stored locally on the client (e.g., see col. 2 lines 31-39 and see Fig. 2b and col. 13 lines 21-35).

**As to claim 23,** Reynolds further teaches comprising outputting the formed user interface for display by a display device (e.g., see Figs. 2a-2d and col. 8 lines 40-53).

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**As to claim 25**, Reynolds further teaches one or more computer storage media comprising computer executable instruction that, when executed on a computer, direct the computer to perform the method as recited in claim 18 (e.g., see col. 13 lines 54-60 and col. 8 lines 1-5).

**11. Claim 24 is rejected under 35 U.S.C. 103(a) as being unpatentable over Reynolds in view of Knudson further in view of Swix.**

**As to claim 24**, Reynolds and Knudson teach the limitation of claim 18 for the same reasons as discussed with claim 18 above. Reynolds further teaches receiving a second input, at the client, to select one said textual representation to cause further information to be displayed on the display (e.g., see col. 18 lines 50-57 and Figs. 10, 14).

However, Reynolds and Knudson do not expressly teach that upon selecting one said textual representation, outputting an additional said representation, wherein the additional said textual representation is selectable by the user to navigate to the referenced corresponding said content item of the selected one said textual representation.

Swix further teaches:

a user interface comprising a plurality of representations on a display for presenting information related to available programming to a viewers; wherein each said representation references a corresponding content item and that each said content item has a plurality of characteristic (e.g., see Figs. 6-7); and

a first grouping of said representations has a matching first characteristic, one to another (e.g., see Fig. 6; note that all the items in the interface 100 has the same characteristic of "All SHOWS");

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at least one said representation of the first grouping is selectable by user interaction to cause a second grouping of said representations to be displayed on the display (e.g., see Fig. 6); and

each said representation in the second grouping references a respective said content item having a matching second said characteristic, one to another (e.g., see Fig. 6). Thus, combining Reynolds, Knudson and Swix would meet the claimed limitations for the same reasons as discussed with respect to claims 1 above.

### ***Response to Arguments***

12. Applicant's arguments with respect to claims 1-40 have been considered but are moot in view of the new ground(s) of rejection.

### ***Conclusion***

Applicant's amendment necessitated the new ground(s) of rejection presented in this Office action. Accordingly, **THIS ACTION IS MADE FINAL**. See MPEP § 706.07(a). Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).

A shortened statutory period for reply to this final action is set to expire THREE MONTHS from the mailing date of this action. In the event a first reply is filed within TWO MONTHS of the mailing date of this final action and the advisory action is not mailed until after the end of the THREE-MONTH shortened statutory period, then the shortened statutory period will expire on the date the advisory action is mailed, and any extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no event, however, will the statutory period for reply expire later than SIX MONTHS from the date of this final action.

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It is noted that any citation to specific, pages, columns, lines, or figures in the prior art references and any interpretation of the references should not be considered to be limiting in any way. A reference is relevant for all it contains and may be relied upon for all that it would have reasonably suggested to one having ordinary skill in the art. In re Heck, 699 F.2d 1331, 1332-33, 216 USPQ 1038, 1039 (Fed. Cir. 1983) (quoting In re Lemelson, 397 F.2d 1006, 1009, 158 USPQ 275, 277 (CCPA 1968)).

Any inquiry concerning this communication or earlier communications from the examiner should be directed to TuyetLien (Lien) T. Tran whose telephone number is 571-270-1033. The examiner can normally be reached on Mon-Friday: 7:30 - 5:00 (every other Friday off).

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Weilun Lo can be reached on 571-272-4847. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

T.T  
10/01/2007

Lien Tran  
Examiner  
Art Unit 2179

**BA HUYNH**  
**PRIMARY EXAMINER**